

GOVERNMENT OF TELANGANA
ABSTRACT

Tribal Welfare Department - Bhadraburi Kothagudem District - Issue of Agency Area Local ST Certificates under GO Ms.No.24 of dt.12.6.2018 of TW (LTR.1) Department - Appeal filed by Sri Tejavath Ramesh, S/o. Kishan, R/o. H.No. 3-13, Gopalapuram Thanda of Kamepalli Village and Mandal, Khammam District against rejection made by Project Officer, ITDA Bhadrachalam & Chairman, DLSC vide Lr.Rc.No.A1/DD(TW)/1627/2019, dt.19.02.2020 and Lr.Rc.No.A1/DD(TW)/1627/2019, dt.25.02.2021 - Appeal Allowed - Orders - Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No. 68

Dated: 21-10-2021

Read the following:-

1. GO Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Letter Rc.No.A1/DD (TW)/1627/2019, Dt. 19.02.2020 of the Project Officer, ITDA, Bhadrachalam, Bhadraburi Kothagudem District & Chairman DLSC.
3. Representation of Sri Tejavath Ramesh, S/o. Kishan, R/o. H.No. 3-13, Gopalapuram Thanda of Kamepalli Village and Mandal, Khammam District dated: 10.12.2019 & 21.12.2019.
4. Govt.Memo.No.1598/TW.LTR/2019, dated:16.12.2019 & 25.01.2021
5. Representation along with enclosures received from Sri Tejavath Ramesh, S/o. Kishan, R/o. H.No. 3-13, Gopalapuram Thanda of Kamepalli Village and Mandal, Khammam District dated 09.02.2021.
6. Govt.Memo.No.1598/TW.LTR/2019, dated 22.02.2021
7. Govt. Notice No. 1598/TW.LTR/2019, Dated 22.02.2021
8. Letter Rc.No. A1/DD (TW)/1621/2019, Dt. 25.02.2021 of the Project Officer, ITDA, Bhadrachalam, Bhadraburi Kothagudem District & Chairman DLSC.

ORDER:

In the reference 1st read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1st read above, the Project Officer, ITDA, Bhadrachalam, Bhadraburi Kothagudem District & Chairman DLSC in the references 2nd & 8th read above, informed that in which the LST Certificate of the applicant Sri Tejavath Ramesh, S/o. Kishan, R/o. H.No. 3-13, Gopalapuram Thanda of Kamepalli Village and Mandal, Khammam District was rejected based on the remarks of the DLSC Committee "as the Appellant has not proved chain of relation from Sri Tejavath Bheekya i.e. Khasra holder to applicant's forefather Sri Tejavath Harya. The applicant is not able to prove his residence since 1950 in the Scheduled area as mentioned in LST certificate. Hence, rejected" headed by the Project Officer, ITDA, Bhadrachalam & Chairman DLSC.

3. The brief facts of the case are that in the reference 3rd & 5th the Appellant Tejavath Ramesh S/o Kishan R/o Gopalapuram thanda of Kamepalli village and Mandal in Khammam District has filed a Petition before the Government to consider his case as belonging to the Agency Area local ST category as his case has been rejected by the scrutiny committee headed by the Project Officer, ITDA Bhadrachalam.

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4. In the reference 4th read above, Government has forwarded the representation of the appellant to the Project Officer, ITDA Bhadrachalam and requested to furnish report on appellant petitions dt. 10.12.2019 and 21.12.2020.

5. In the reference 6th read above, the Collector & District Magistrate, Khammam and Project Officer, ITDA Bhadrachalam was requested to furnish connected record along with para wise remarks dealing with the verification of local ST Agency Area Certificate of Sri Tejavath Ramesh, by 24.02.2021, as the Government intended to hear the case on 27.02.2021 treating the case an Appeal filed before the Government under GO Ms.No.24, dt.12.6.2018 of TW (LTR.1) Dept.

6. In the reference 8th read above, the Project Officer, ITDA Bhadrachalam has informed the Government that "the Appellant Sri Tejavath Ramesh has not proved chain of relation from Sri Tejavath Bheekya i.e. Khasra holder to applicant's forefather Sri Tejavath Harya and thus failed to prove his continuous residence in the Agency Area since 1950. Hence, the Scrutiny Committee has resolved to reject his case as he is not a local ST candidate of Agency Area."

7. In reference 7th read above, a Notice has been issued to the appellant to attend for hearing on 27.02.2021 before the Government to prove his claim along with documentary evidences. Accordingly, the appellant attended and submitted the certain documents in support of his claim that he belongs to the Agency Area local ST category of Khammam District. Appellant had prayed to grant one week time for submission of further evidences to prove his claim. Time was granted for one week. Appellant submitted the Resolutions of GP Kamepalli and PESA Gram Sabha, Kamepalli, on 6.3.2021.

8. As per the documents produced by the Appellant along with his petitions, before the Government on 27.02.2021 and also on 6.3.2021, the family tree of the Appellant is found as follows:

- Sri Tejavath Lalsingh is great great grandfather. He has two sons namely 1) Tejavath Bheekya and 2) Tejavath Harya (great grandfather).
- Tejavath Harya i.e. great grandfather of the Appellant has only one son namely Tejavath Devujya (grandfather of the Appellant).
- Tejavath Devujya i.e. grandfather of the Appellant has three sons namely 1) Tejavath Kishan(father of the Appellant) 2) Tejavath Dhanja and 3) Tejavath Rambabu.
- Tejavath Kishan i.e. father of the Appellant has three children namely 1) Amala(daughter) 2) Ramesh (Appellant) and 3) Balaji(son).

9. The Gram Panchayat, Kamepalli further resolved that Sri Tejavath Ramesh and his fore-fathers have been continuously living in Gopalapuram thanda under Kamepalil GP and Mandal from before 1950.

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10. The PESA Grama Sabha, Kamepalli Gram Sabha village, in its meeting held on 05.03.2021 has corroborated with the resolution of GP Kamepalli i.e. same family tree. The Gram Sabha further stated that there is no land on the name of Tejavath Kishan i.e. father of the Appellant who passed away on 17.09.2009; the Government granted ROFR Patta for extent of Ac.6.09 guntas in the name of Smt.Tejavath Kotamma (mother of Appellant) and that the Appellant Sri Tejavath Ramesh and his forefathers have been continuously living in Gopalapuram-thanda under Kamepalli Gram Panchayat of Kamepalli Mandal from before the year 1950. The Death Certificate issued by the Registrar of Births and Deaths and Joint Registrar, Khammam Municipality shows that Sri Tejavath Kishan i.e. father of the Appellant was expired on 17.09.2009 at District Headquarters Hospital, Khammam. As seen from the ROFR Patta, rights have been granted to Smt. Tejavath Kotamma (mother of appellant) by the Government under ROFR Act for an extent of Ac.6.09 gts in Gopalapuram village vide claim No.222301006010096. As per Kasra pahani 1954-55, name of Sri Tejavath Bhikya i.e. elder brother of Tejavath Harya (great grandfather of the Appellant) was recorded for an extent of Ac.2.08 guntas in Sy.No.623/A of Mucharla village in Kamepalli Mandal.

11. Government after careful examination of the documentary evidences available on record and produced by the Appellant, it is found that the Appellant Sri Tejavath Ramesh S/o late Kishan and his forefathers have been continuously residing in Gopalapuram thanda village under Kamepalli GP and Mandal of Khammam District.

12. Therefore, the Appeal filed by Sri Tejavath Ramesh S/o Late Kishan R/o Gopalapuram Thanda of Kamepalli Village and Mandal is hereby allowed setting aside rejection of Scrutiny Committee headed by Project Officer, ITDA, Bhadrachalam as communicated in Lr. Rc.No.A1/DD(TW)/1621/2019, dt.25.02.2021, and also treated the Agency Area Local ST certificate bearing No.C/339/2018, dt.6.7.2019 issued by the Tahsildar, Kamepalli to the Appellant Sri Tejavath Ramesh, as valid.

13. The Collector & District Magistrate, Khammam District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**Dr. CHRISTINA Z.CHONGTHU
SECRETARY TO GOVERNMENT**

To

1. The Collector & District Magistrate, Khammam District.
2. Sri Tejavath Ramesh, S/o. Kishan, R/o. H.No. 3-13,
Gopalapuram Thanda of Kamepalli Village and Mandal,
Khammam District

Copy to:

1. The Secretary, Telangana State Public Service Commission,
Hyderabad (for information & necessary action)
2. The Project Officer, ITDA, Bhadrachalam, Bhadravadi Kothagudem
District (for information & necessary action)

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3. The District Forest Officer, Khammam District
(for information & necessary action)
4. The PS to Hon'ble Minister for ST Welfare for information.
5. The PS to Secretary (TW)
6. The PS to Special Secretary (TW)
7. SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER